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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CU-02 USIA-06 CIAE-00 INR-07 NSAE-00
SCA-01 L-03 /032 W
----------292030Z 023425 /44
R 291508Z DEC 76
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC 2581
INFO AMCONSUL LENINGRAD

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E.O. 11652: N/A
TAGS: PFOR, OGEN, OEXC, UR, US
SUBJECT: ACCESS OF EXCHANGE STUDENTS TO CHANCERY

REF: (A) STATE 312227, (B) STATE 311494

1. ACTING POL COUNSELOR CALLED DEC 29 ON MFA USA DIVISION COUNSELOR TRIFONOV AND FIRST SEC KAPRALOV (SUBBING FOR DEPUTY DIRECTOR FEDOSEYEV, WHO HAD ALLEGEDLY BEEN CALLED AWAY TO "LEADERSHIP" MEETING) TO DELIVER NOTE PROTESTING OBSTRUCTION OF ACCESS TO EXCHANGE STUDENTS NEIDICH AND HASEGAWA (REFTELS). TEXT OF NOTE, NO. 1817 DATED DEC 29, FOLLOWS.

BEGIN TEXT. THE EMBASSY WISHES TO PROTEST TWO RECENT OCCASIONS ON WHICH AMERICAN CITIZENS, TEMPORARILY RESIDENT IN MOSCOW AS EXCHANGE STUDENTS, HAVE BEEN OBSTRUCTED BY MILITIAMEN IN THEIR ACCESS TO THE CHANCERY.

ON THE MORNING OF DECEMBER 22, 1976, EXCHANGE STUDENT CHARLES NEIDICH WAS STOPPED BY THE MILITIAMAN ON DUTY AS HE ATTEMPTED TO ENTER THE CHANCERY. MR. NEIDICH EXPLAINED THAT HE WAS AN AMERICAN, BUT WAS NEVERTHELESS REFUSED ACCESS BY THE MILITIAMAN, WHO PHYSICALLY PUSHED HIM AWAY FROM THE ENTRY. IT WAS ONLY AFTER EXTENSIVE
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EXPLANATIONS IN RUSSIAN AND PRESENTATION OF VARIOUS PROOFS OF IDENTITY THAT MR. NEIDICH WAS ALLOWED TO ENTER THE CHANCERY.

ON DECEMBER 27, 1976, IN THE MORNING, EXCHANGE STUDENT TSYUOSHI HASEGAWA ENCOUNTERED EXACTLY THE SAME

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DIFFICULTIES WHEN HE TRIED TO ENTER THE CHANCERY. HE TOO WAS PHYSICALLY PUSHED BY THE MILITIAMAN ON DUTY AND WAS ALLOWED TO ENTER THE CHANCERY ONLY AFTER ADDITIONAL CONVERSATION IN RUSSIAN.

ON BOTH OCCASIONS THE MILITIAMEN WERE RUDE AND THREATENING AND USED THE FAMILIAR FORM OF THE RUSSIAN LANGUAGE IN ADDRESSING THESE AMERICAN CITIZENS.

THE EMBASSY FIRMLY PROTESTS THE BEHAVIOR OF THE MILITIAMEN INVOLVED IN THE TWO INCIDENTS DESCRIBED ABOVE. SUCH ACTIONS, HINDERING THE ACCESS OF AMERICAN CITIZENS TO THE EMBASSY, ARE DIRECTLY CONTRARY TO ARTICLE 12, PARAGRAPH 1, OF THE CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF THE SOVIET SOCIALIST REPUBLICS. MOREOVER, PHYSICALLY PUSHING AMERICAN CITIZENS AND ADDRESSIMG THEM IN UNSEEMLY AND THREATENING LANGUAGE IS UNACCEPTABLE.
THE EMBASSY REQUESTS THAT THE MINISTRY TAKE ALL NECESSARY STEPS TO INSURE THAT SUCH INCIDENTS CEASE, AND THAT THE MILITIAMEN INVOLVED IN THE ABOVE INCIDENTS BE APPROPRIATELY DISCIPLINED. END TEXT.

2. TRIFONOV SIAD HE WOULD TRANSMIT PROTEST TO "LEADER-SHIP"; HIS PRELIMINARY PERSONAL REACTION WAS THAT AS EMBASSY KNEW, ONLY PURPOSE OF STATIONING MILITIAMEN BEFORE EMBASSY WAS TO PROTECT ITS SECURTIY, AND THAT STEPS THEY TOOK TO THIS END INCLUDED CHECKING ON IDENTITY OF PERSONS SEEKING TO ENTER. ACTING POL COUNS RESPONDED THAT WE SAW TWO ISSUES INVOLVED: FREE ACCESS TO
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EMBASSY FOR AMERICANS, UNDER CONSULAR CONVENTION, AND MANNER IN WHICH MILITIAMEN CONDUCTED THEMSELVES. IN THIS CASE, ACCESS HAD BEEN OBSTRUCTED, AND MILITIA CONDUCT--PHYSICAL PUSHING AND FAMILIAR LANGUAGE--WAS ALSO UNACCEPTABLE. TRIFONOV REPLIED MILDLY THAT IN TERMS OF CONSULAR CONVENTION MILITIAMEN HAD TO TAKE TWO ELEMENTS, ACCESS AND PROTECTION, INTO ACCOUNT, BUT REITERATED HE WOULD PASS ALONG PROTEST.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SECURITY, DIPLOMATIC NOTES, DIPLOMATIC PROTESTS, PERSONNEL SECURITY, DIPLOMATIC MISSIONS, STUDENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MOSCOW20244
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760475-0502
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976127/aaaaafnf.tel
Line Count: 106
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 312227, 77 STATE 311494
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 05 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 MAY 2004 by ShawDG>; APPROVED <07 SEP 2004 by CunninFX>
Review Markings:

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US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ACCESS OF EXCHANGE STUDENTS TO CHANCERY
TAGS: PFOR, OGEN, OEXC, UR, US, (HASEGAWA, TSUYOSHI), (NEIDICH, CHARLES)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006